

Exhibit A

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FARAH NOERAND,

Plaintiff,

v.

BETSY DEVOS, in her official capacity as
Secretary of the United States Department of
Education,

And

THE UNITED STATES DEPARTMENT OF
EDUCATION

Defendants.

No. 1:20-cv-11271

**[PROPOSED] ORDER GRANTING PLAINTIFF’S MOTION FOR PRELIMINARY
INJUNCTION**

Before the Court is the Motion for Preliminary Injunction of Plaintiff Farah Noerand to enjoin Defendant from enforcing the “Eligibility of Students at Institutions of Higher Education for Funds under the Coronavirus Aid, Relief, and Economic Security (CARES) Act” Interim Final Rule (the “IFR”).

Having reviewed the submissions of the parties and the arguments of counsel, the Court finds that Plaintiff has demonstrated (1) a substantial likelihood of success on the merits in seeking to set aside the IFR, (2) that she would be irreparably harmed in the event that the IFR were to continue to be enforced, (3) that the balance of equities and the public interest favors issuance of the injunction requested by Plaintiff. Accordingly, it is hereby ordered:

- (1) Defendant, together with its officers, agents, servants, employees, and attorneys, and all persons acting in concert with the Defendant or its officers, agents, servants, employees, or attorneys, shall be and hereby are enjoined from enforcing the IFR as to any institution of higher education in the Commonwealth of Massachusetts until further order of this Court.
- (2) Defendant, together with its officers, agents, servants, employees, and attorneys, and all persons acting in concert with the Defendant or its officers, agents, servants, employees, or attorneys, shall be and hereby are enjoined from enforcing any eligibility requirement for emergency financial aid grants to students under CARES Act, § 18004(c) requiring that such students be U.S. citizens or legal permanent residents, as to any institution of higher education in the Commonwealth of Massachusetts until further order of this Court.

IT IS SO ORDERED this ____ day of ____, 2020.